next Office Action.

B. 35 U.S.C. § 103

1. Clayton et al. and Fan et al.

Claims 26-28, 30-42 and 62 were rejected under 35 U.S.C. § 103 as being obvious in view of Clayton et al. and Fan et al. Applicants traverse this rejection. In particular, independent claim 30 recites "a receiver that has a unique alpha-numeric name associated therewith." The Office Action has conceded that Clayton et al. fails to disclose a receiver having a unique alpha-numeric name associated therewith. The Office Action relies on Fan et al. as curing the deficiencies of Clayton et al. The Office Action states that it would have been obvious to included Fan's "pseudo number" in Clayton's device "for the purpose of validly accessing a cellular network to obtain service." In particular, the Office Action points to the passages at Column 3, line 47 – Column 4, line 26 and Column 6, lines 6-39 of Fan et al. as disclosing the "pseudo number" and suggesting using the claimed receiver in Clayton et al. This reliance is misplaced. The passages in question state:

> FIG. 2 illustrates a data processing station 18 of the present invention, including a data process unit 38 which handles the computation at data processing station 18. If data processing station 18 receives an outbound data package which includes a measured position of the mobile unit (presumably the position of the vehicle), the measured position is entered into a position table 33 (FIG. 2). If the outbound data package includes pseudo-ranges, however, data processing station 18 obtains the measured position of the mobile unit for position table 33 by applying triangulation technique on the pseudo-ranges.
>
> Alternatively, data processing station 18 can also use pseudo-ranges in conjunction with differential correction information, or delta-pseudo-ranges. The delta-pseudo-ranges, which are obtained by data processing unit 38 from correction stations (e.g., correction stations 37) and stored in a delta-pseudo-range table (e.g., delta-

pseudo-range table 39 of FIG. 2), are correction factors for the geographical area in which the mobile unit is currently located. Data processing unit 38 can connect to correction stations 37 via wired or wireless communication links, or via a data network, such as data network 27. The position of a differential correction station is precisely known. Typically, a differential correction station serves an area 200 miles in diameter. In the present embodiment, a differential correction station in each of the vehicle locating service's service areas is desired. The delta-pseudo-ranges are used in conjunction with the pseudo-ranges received from satellite constellation 8 to provide a corrected measured position of the mobile unit. The corrected measured position is then stored in position table 33 (FIG. 2).

A differential correction station receives code sequences from GPS satellite constellation 8 (FIG. 1) to obtain a first set of pseudo-ranges based on the received code sequences. The differential correction station then calculates a second set of pseudo-ranges based on its known position and the relative positions of the satellites in satellite constellation 8. Delta-pseudo-ranges are then computed using the two sets of pseudo-ranges. These delta-pseudo-ranges are provided to data processing unit 38, and stored in delta-pseudo-range table 39 for computing corrected measured positions of the mobile units. Alternatively, correction to the measured position can also be achieved using positional corrections, rather than delta-pseudo-ranges. To obtain a positional correction, a differential correction station receives GPS positioning code sequences, and obtains, based on the received code sequences, a measured position of its own position expressed in terms of the longitude and latitude. This

* * *

In the embodiment shown in FIG. 1, another set of terminals (e.g., monitor 22) are provided in some applications to monitor the activities of the mobile units. For example, a monitor unit may send a request together with a mobile unit identification to data processing station 18 to obtain the measured position and speed of a specified mobile unit. One application for this capability can be found, for example, in a trucking company interested in tracking the positions of its fleet of trucks for scheduling and maintenance purposes. Monitor unit 22 can be a fixed unit or a portable unit. A portable monitor unit 22 is equipped with a wireless transceiver for accessing data network 27 via service provider 20 or wireless

> network service connection 10. Monitor unit 22 may also communicate with mobile unit 1 through data network 27 using a message exchange protocol. For example, monitor unit 22 may send a special command to mobile unit 1, and mobile unit 1 may send a message addressed to monitor unit 22. In one example the message communicated between mobile unit 1 and monitor unit 22 is in the form of an electronic mail message. Of course, the communication between monitor unit 22 and mobile unit 1 can be encrypted for security or to prevent unauthorized use. Monitor unit 22 also displays the elapsed time since the last position update graphically (data collected by data processing unit). The elapsed time can be represented graphically as a color code, grades of shade, a flashing interval, or any suitable symbolic representation.
>
> When the Internet is used as data network 27, data processing station 18 is a node on the Internet and is assigned an Internet address. Monitor unit 22 can include a computer installed with a conventional web browser. The Internet address of data processing station 18 is used by the monitor unit for communicating with data processing unit 18.

The above passages refer to "pseudo ranges." Assuming the Office Action is relying on such "pseudo ranges" as being the previously mentioned "pseudo number" then the rejection has no merit. The pseudo ranges mentioned in Fan et al. are used in a data package to request travel-related information (Col. 3, ll. 13-25). The pseudo ranges can also be used to determine a "measured" position using triangulation techniques performed of the pseudo ranges (Col. 3, ll. 34-37). Nowhere in Fan et al. does it mention that the pseudo ranges are used to validly access a cellular network to obtain service as asserted in the Office Action. There is also no mention that the pseudo ranges are used to define "a unique alpha-numeric name associated" with a receiver. Accordingly, there is no suggestion in Fan et al. to alter Clayton et al.'s receiver to have "a unique alpha-numeric name associated therewith." Thus, the rejection is improper and should be withdrawn.

Claim 62 is patentable over Clayton et al. and Fan et al. for the additional reason that neither Clayton et al. nor Fan et al. discloses or suggests altering Clayton et al.'s receiver to use a unique alpha-numeric name to check if a user of the receiver is a subscriber. It is noted that the Office Action has relied on the following passage of Fan et al. as disclosing the recited alpha-numeric name.

> 10. Monitor unit 22 may also communicate with mobile unit 1 through data network 27 using a message exchange protocol. For example, monitor unit 22 may send a special command to mobile unit 1, and mobile unit 1 may send a message addressed to monitor unit 22. In one example the message communicated between mobile unit 1 and monitor unit 22 is in the form of an electronic mail message. Of course, the communication between monitor unit 22 and mobile unit 1 can be encrypted for security or to prevent unauthorized use. Monitor unit 22 also displays the elapsed time since the last position update graphically (data collected by data processing unit). The elapsed time can be represented graphically as a color code, grades of shade, a flashing interval, or any suitable symbolic representation. (Col. 6, ll. 19-33).

The above passage is silent regarding an alpha-numeric name being used to check whether a user of a receiver is a subscriber. Since Fan et al. does not suggest altering Clayton et al.'s receiver to use a unique alpha-numeric name to check if a user of the receiver is a subscriber, the rejection is improper and should be withdrawn.

2. Clayton et al. and Brock

Claims 81-84 were rejected under 35 U.S.C. § 103 as being obvious in view of Clayton et al. and Brock. Applicants traverse this rejection. Independent claim 81 recites a two-way satellite digital audio radio system that includes "a button that when depressed explicitly indicates a dislike of an item." The Office Action has conceded that Clayton et al. does not

disclose such a button. The Office Action has relied on Brock as disclosing the idea of using a dislike button. The Office Action has relied on the following passage of Brock:

> Preferably, the specialized browser on each of the respondent computers includes a plurality of qualitative ratings buttons or icons activatable by the respondent to rate the current page presently being viewed. The ratings buttons include a favorable-rating button ("like"), an unfavorable rating button ("dislike"), a frustration-rating button and a confusion-rating button. Alternatively, the rating buttons can be numeric (e.g., 1-5), alphabetical (e.g., A-F) or the like. Additionally, the specialized browsers can be set up to request comments from the respondents when the respondent activates one of the ratings buttons. Therefore, when, for example, a respondent activates the "dislike" rating button, the specialized browser will provide a window or form on which the respondent can enter comments setting forth the reasons why he or she activated the "dislike" button. Once entered, the respondent computer will report the rating and associated comments to the moderator computer for storage in the database and for subsequent analyses. (Para. 0009).

While the above passage regards a browser on a computer that has a "dislike" button, there is no disclosure of a satellite-air interface that provides communication between a satellite and a telematics device that includes "a button that when depressed explicitly indicates a dislike of an item." The browser of Brock does not define an interface between a satellite and a telematics device of a vehicle. Even if Brock does define such an interface, there is no suggestion to use its browser in Clayton et al.'s device since Brock requires a window to pop up for providing comments. There is no motivation for such a window in Clayton et al.'s device since it does not have a structure to allow for a person to enter text comments.

C. **Claims 43-50, 64-66, 71, 72, 74-76, 79 and 80**

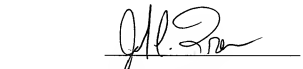
Applicants note with appreciation that claims 43-50, 64-66, 71, 72, 74-76, 79 and 80 have been allowed.

It is noted that an Examiner's statement of reasons of allowance has been given regarding claims 43, 71 and 79. Applicants traverse the statement to the extent that there may be broader and/or other reasons why the claims are patentable.

CONCLUSION

In view of the arguments above, Applicants respectfully submit that all of the pending claims 26-28, 30-50, 62, 64-66, 71, 72, 74-76 and 79-84 are in condition for allowance and seeks an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that an interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned attorneys at (312) 321-4200.

Respectfully submitted,



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